



ENTERED
10/28/2019

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

In re:

HOUTEX BUILDERS, LLC, *et al.*,¹

DEBTORS.

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Case No. 18-34658

Chapter 11

**AGREED ORDER GRANTING SECOND INTERIM APPLICATION FOR
ALLOWANCE OF COMPENSATION AND REIMBURSEMENT OF EXPENSES OF
DIAMOND MCCARTHY LLP, AS GENERAL COUNSEL FOR THE DEBTORS FOR
THE PERIOD JANUARY 1, 2019 THROUGH JULY 31, 2019**

(This Order relates to ECF No. 346)

Upon consideration of the Second Interim Application for Allowance of Compensation and Reimbursement of Expenses (the “Application”) of Diamond McCarthy LLP (“Diamond McCarthy”), as general counsel to Houtex Builders, LLC, 2203 Looscan Lane, LLC and 415 Shadywood, LLC (each a “Debtor” and collectively the “Debtors”) for the period January 1, 2019 through and including July 31, 2019 (the “Application Period”) and the Court having determined it has jurisdiction to consider the Application and the relief requested therein pursuant to 28 U.S.C. § 1334, 11 U.S.C. §§ 330 and 331, Federal Rule of Bankruptcy Procedure 2016, and Local Bankruptcy Rule 2016-1; and it appearing to the Court that the Application and the relief requested therein is a core proceeding pursuant to 28 U.S.C. § 157(b) and venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing to the Court that due and proper notice of the Application has been given and no other or further notice need be provided; and it further appearing to the Court after review of the Application, any objections (any outstanding as of the hearing date on

¹ The names of the Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: HOUTEX Builders, LLC (2111); 2203 Looscan Lane, LLC (1418); and 415 Shadywood, LLC (7627).

the Application having been overruled) and the record made by Diamond McCarthy during the hearing before the Court on the Application that Diamond McCarthy has established the basis for interim allowance of fees and expenses during the Application Period as set out in the Application; IT IS HEREBY:

ORDERED that the relief requested in Diamond McCarthy's Application is approved in the amount of \$86,798.57 (the "Second Interim Award") consisting of attorney and paralegal fees in the amount of \$72,581.75 (which is half of the \$145,163.50 in fees requested in the Application) and out-of-pocket expenses of \$14,216.82.

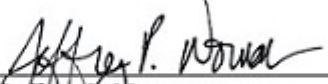
ORDERED that the Debtors shall pay to Diamond McCarthy the Second Interim Award promptly following entry of this Order.

ORDERED that the Second Interim Award is made without prejudice to Diamond McCarthy's right to argue in a final fee application that fees incurred during the Application Period but not approved in this Order should be awarded.

ORDERED that all objections by HL Builders, formerly known as CD Homes, to the First and Second Interim Applications for Allowance of Compensation are reserved and preserved pending further hearings for further interim or final compensation.

ORDERED that the Court shall retain jurisdiction with respect to all matters relating to the interpretation and implementation of this order.

Signed: October 28, 2019



Jeffrey P. Norman
United States Bankruptcy Judge

SUBMITTED BY:

DIAMOND MCCARTHY LLP

By: /s/ Charles M. Rubio

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Counsel to Debtors and Debtors-in-Possession

AGREED TO AS TO FORM ONLY:

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